

March 28, 2001

EA 01-058

Mr. Ted C. Feigenbaum  
Executive Vice President and Chief Nuclear Officer  
Seabrook Station  
North Atlantic Energy Service Corporation  
c/o Mr. James M. Peschel  
P.O. Box 300  
Seabrook, NH 03874

SUBJECT: NRC OFFICE OF INVESTIGATION CASE NO. 1-2001-002  
(Seabrook Station)

Dear Mr. Feigenbaum:

On January 10, 2001, the NRC's Office of Investigations (OI) initiated an investigation to determine whether a contract security officer falsified three fire watch logs while employed at the Seabrook Station. In this regard, OI reviewed your investigative report, dated January 11, 2001, OI agreed with your conclusion that the security officer deliberately falsified three fire watch logs. Specifically, the security officer signed a fire watch log indicating that he had completed a visual verification/walkdown of three disabled fire zones between 3:00 a.m. and 4:00 a.m. on December 31, 2000, when in fact key card entries showed that he had not been in any of the three fire zones. When confronted by his employer (Burns International Security Service), the security officer admitted that he had fallen asleep and had not completed the fire watch rounds, but decided to sign off the paperwork and hope that it wouldn't be noticed. A synopsis of the OI investigation is enclosed.

10 CFR 50.9(a) states in part that information required by the Commission's regulations, orders, or license conditions to be maintained by a licensee, shall be complete and accurate in all material respects. Seabrook Technical Specification 6.7.1 requires, in part, written procedures for implementing the fire protection program. Procedure GN1307.00, "Foot Patrols," requires, in part, North Atlantic Energy Service Corporation to perform roving fire watches of degraded fire zones, and to document in a log that these roving fire watches had been completed. Since the security officer admitted that he had fallen asleep, had not completed the fire watch rounds, and then falsified the fire watch log to cover his actions, North Atlantic Energy Service Corporation was in violation of 10 CFR 50.9(a). Given that the degraded fire zones were checked prior to and following the 3:00 a.m. to 4:00 a.m. time slot and the low probability that a fire would occur during that time slot, the NRC recognizes that the safety consequence of the violation was low.

The NRC, including OI, has completed its review of this matter. Although a Notice of Violation (NOV) would normally be issued for a violation of 10 CFR 50.9(a), the NRC has decided that an NOV is not warranted in this case because the criteria have been met for issuance of a Non-Cited Violation (NCV), as set forth in Section VI.A.1 of the Enforcement Policy. The NRC's Enforcement Policy is available at the Office of Enforcement website at <http://www.nrc.gov/OE/>. Specifically, North Atlantic Energy Service Corporation identified the violation, restored compliance within a reasonable time, and placed the violation into a corrective action program.

In addition, it was reported to the NRC, it was the result of an isolated deliberate act by a single individual who was not in a supervisory position within the organization, and disciplinary action was taken against the individual. However, similar violations in the future could result in escalated enforcement action.

No response to this letter is required. If you contest this NCV or its significance, you should provide a response within 30 days of the date of this letter, with the basis for your denial, to the Nuclear Regulatory Commission, ATTN: Document Control Desk, Washington DC 20555-0001, with copies to the Regional Administrator, Region I, and the Director, Office of Enforcement, United States Nuclear Regulatory Commission, Washington, DC 20555-0001 and the NRC Resident Inspector at the Seabrook Station.

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Sincerely,

***/RA/ James T. Wiggins Acting for***

Hubert J. Miller  
Regional Administrator

Enclosure: As Stated

Docket No. 05000443  
License No. NPF-86

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## SYNOPSIS

This investigation was initiated by the Office of Investigations (OI), Region I (RI), on January 10, 2001, to determine whether a Seabrook Station contract security officer (Burns International Security Services) falsified three fire watch logs on December 31, 2000.

The facility licensee conducted an investigation and produced a report documenting that on December 31, 2000, the security officer submitted a manual log, which included his badge number and signature, indicating that he had completed a visual verification/walkdown of three disabled fire zones. Burns personnel conducted a check of the security officer's key card entries and determined that the security officer had not been in any of the three fire zones. When confronted by Burns personnel, the security officer admitted that he had fallen asleep and had not completed the fire watch rounds, yet "...I decided to sign off the paperwork and hope that it wouldn't be noticed." The licensee terminated the security officer's employment on January 3, 2001, after completion of their investigation.

Based on OI's review of the licensee's investigative report, it is concluded that: 1) the security officer deliberately falsified the three fire watch logs; 2) the security officer had not previously falsified any such records; 3) there were no supervisory level employees involved in the falsification; and 4) the licensee took reasonable action in terminating the security officer's employment.